

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

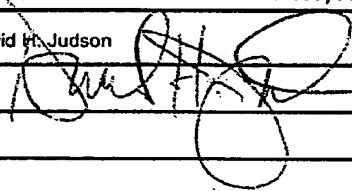
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

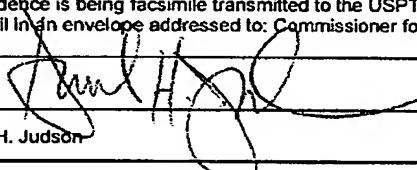
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10761,578
	Filing Date	January 21, 2004
	First Named Inventor	Falk
	Art Unit	2173
	Examiner Name	
Total Number of Pages in This Submission	15	Attorney Docket Number Altova 001

**RECEIVED  
CENTRAL FAX CENTER**

**JUN 15 2005**

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks This is a RENEWED PETITION under Rule 102(d) and responds to the DECISION mailed April 15, 2005. The original DECISION was rendered by Mr. Pinchus M. Laufer, Special Program Examiner, Technology Center 2100.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Law Office of David H. Judson		
Signature			
Printed name	David H. Judson		
Date	June 15, 2005	Reg. No.	30.467

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	David H. Judson	Date	June 15, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

PATENT JUN 15 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Falk et al.  
Serial Number: 10/761,578  
Filing Date: January 21, 2004  
Group Art Unit: 2173

For: **METHOD AND SYSTEM FOR AUTOMATING CREATION  
OF MULTIPLE STYLESHEET FORMATS USING AN  
INTEGRATED VISUAL DESIGN ENVIRONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Mr. Pinchus M. Laufer, Technology Center 2100

**RENEWED PETITION TO MAKE SPECIAL FOR NEW  
APPLICATION UNDER MPEP §708.02, VIII**

In response to the Decision mailed April 15, 2005, Applicant hereby renews its petition to make special the above-referenced new application, which has not received any examination by the Examiner.

As previously noted, all of the claims in this case are believed directed to a single invention. If the Office determines that all claims present are not obviously directed to a single invention, Applicant will make an election without traverse as a prerequisite to the grant of special status.

As previously represented, there has been a search made with respect to the patentability of this invention. In particular, in December 2004, a preliminary search of patents and published applications was performed through the United States PTO Web site search engine (at [www.uspto.gov](http://www.uspto.gov)) using various keywords, both alone and in combination, including: "XSLT," "design," "stylesheet," "stylesheet repository," "XSL"

and "XSL:FO." Several patents and published applications were located as a result of that search, and these references were submitted with the original petition that was filed December 13, 2004. Those references were deemed by Applicants to be most closely related to the subject matter encompassed by the claims.

### The Invention

The Background of the Invention portion of the subject application (on pages 1-3) provides the context of the present invention, namely, the problem of data integration, the value of Extensible Markup Language (XML), the ancillary technologies associated with XML including, without limitation, XSL and XSLT, and the existence of prior art visual data mapping tools that have been created to accelerate the implementation of XSLT stylesheets. With this background, the present invention is an improvement to a data processing system having a windows-based graphical user interface (GUI). The invention enables support for visual editing and generation of extensible Stylesheet Language (XSL) code, such as XSL code that enables XML content to be rendered into an HTML file, XSL:FO code that enables XML content to be rendered into a PDF file, and the like. With a single stylesheet design, developers can preview an output of a stylesheet transformation in one of several different formats, e.g., HTML, PDF, or others.

In an illustrative embodiment, a method of and system for automatic writing of complex stylesheets preferably uses an intuitive drag-and-drop user interface. By opening an existing structured data source (e.g., an XML document, an XML Schema, DTD, relational database, EDI document, a Web service, or the like), a content model appears in a given display panel, preferably in a tree-like controller. The designer then selects an element or attribute that he or she desires to appear in an output and drags it from the given display panel to a main output window. The designer then specifies how he or she would like the new node to be handled (e.g., as a new paragraph, image, table, or the like). A stylesheet, sometimes referred to as a "meta stylesheet," is automatically generated (or is generated as the designer positions elements and attributes in the main output window). Typically, the meta stylesheet is maintained as an internal data representation, although it may be displayable if desired. According to an aspect of the invention, two or more stylesheets are generated from the meta stylesheet and from within

the integrated visual design environment, with each of the stylesheets being useful for generating the document being designed in a given output format. Thus, in a representative example, the two or more stylesheets include a first XSLT stylesheet for transforming an XML document into HTML, and a second XSLT stylesheet to facilitate transformation of the XML document into PDF via XSL:FO. Each of the stylesheets may be automatically previewed in the GUI by simply selecting a preview tab. Another control tab may be used to preview the output document rendered through the respective stylesheet.

Thus, according to the invention, a unified visual design environment is provided in a data processing system to enable automatic generation of a plurality of stylesheets for different output formats. The invention enables support for visual editing and generation of extensible Stylesheet Language (XSL) code, such as XSL code that enables XML content to be rendered into an HTML file, XSL:FO code that enables XML content to be rendered into a PDF file, and the like. With a single stylesheet design, developers can preview an output of a stylesheet transformation in one of several different formats, e.g., HTML, PDF, or others.

#### Detailed Discussion Of The References

Huang et al., Published Patent Application 20020147748, relates generally to document processing and electronic publishing and, in particular, to techniques for designing extensible stylesheets. In this application, meta-tag information is used to design extensible stylesheets (XSL) for transferring a source XML file into a target file. According to one aspect, when a target file is displayed (e.g., in a browser or authoring tool), the output presentation includes a number of objects, such as a picture or a sentence or a group of words. Some of the objects are dynamic in a sense that these objects are respectively linked with source elements or objects in the source file so that any changes to the source objects will be dynamically reflected in the target file. Each of the meta-tags inserted specifies a relationship to the corresponding source object in the source file.

The pending claims specifically distinguish Huang et al. in several respects. By way of brief additional background, the Office will note that there are three (3) independent claims in this application, namely, claims 1, 15 and 20. Claim 1 is in Jepson

format and describes an improvement to a data processing system having a windows-based GUI. According to claim 1, the improved data processing system includes “code responsive to selection and positioning in a ... [] display panel of given design elements or attributes from [a] structured data source for generating a meta stylesheet” and “code for automatically generating from the meta stylesheet two or more stylesheets ..., wherein each of the stylesheets is useful for generating” a document being designed in a given output format.” Independent claim 15 describes a data processing system (as opposed to an improvement to an existing data processing system, as in claim 1) that includes similar elements, although in claim 15, the “meta stylesheet” is defined more broadly as “given program code” and the “two or more stylesheets” are defined as “two or more program code instances.” Independent claim 20 describes a display method operative in a data processing system and includes includes the “selection and positioning” and “automatically generating” functions as those functions are recited in claim 15. Thus, in all three independent claims, there is a requirement that the recited data processing system carry out these two separate functions and these functions are wholly absent from Huang et al., namely: “generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format. Huang et al., in contrast, merely teach a stylesheet design environment in which design objects are linked with source objects in a source file so that a change to a source object is reflected in a target file. The subject invention concerns generation of a plurality of stylesheets for different output formats, preferably using a meta stylesheet that is automatically generated as a designer positions elements and attributes in an output window.

MPEP § 2131 provides that a “claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. ... ‘The identical invention must be shown in as complete detail as contained in the ... claim.’ The elements must be arranged as required by the claim.” (citations omitted, emphasis supplied). This requirement is not met with respect to

Huang et al. for any of independent claims 1, 15 or 20 for the reasons advanced above. Moreover, because each of claims 1 and 15 are not anticipated by Huang et al., their respective dependent claims 2-14 and 16-19 likewise are not anticipated.

As to any permissible argument of non-obviousness, it is the Office's burden to establish an alleged prima facie case. In considering this issue, the following general principles apply.

Whether or not particular subject matter "as a whole" would have been obvious to one of ordinary skill in the art at the time an invention was made depends on underlying factual inquiries including, among other things: (1) the scope and content of the prior art; (2) the level of ordinary skill in the art; and (3) the differences between the prior art and the claimed invention. See, e.g., Monarch Knitting Mach. Corp. v. Sulzer Morat GMBH, 139 F.3d 877, 881, 45 USPQ2d 1977, 1981 (Fed. Cir. 1998). Measuring a claimed invention against the standard established by §103 requires the difficult but critical step of casting the mind back to the time of invention, to consider the thinking of one of ordinary skill in the art, guided only by the prior art references and the then-accepted wisdom in the field. See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 313 (Fed. Cir. 1983). In re Dembiczak, 175 F.3d 994, 1000, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). The Federal Circuit has cautioned the PTO that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references. See, e.g., C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1352, 48 USPQ2d 1225, 1232 (Fed. Cir. 1998) (describing "teaching or suggestion or motivation [to combine]" as an "essential evidentiary component of an obviousness holding"); In re Rouffet, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) ("the Board must identify specifically . . . the reasons one of ordinary skill in the art would have been motivated to select the references and combine them"); In re Fritch, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992) (examiner can satisfy burden of obviousness in light of combination "only by showing some objective teaching [leading to the combination]"); In re Fine, 837 F.2d 1071, 1075, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988) (evidence of teaching or suggestion "essential" to avoid

hindsight); Ashland Oil, Inc. v. Delta Resins & Refractories, Inc., 776 F.2d 281, 297, 227 USPQ 657, 667 (Fed. Cir. 1985) (district court's conclusion of obviousness was error when it "did not elucidate any factual teachings, suggestions or incentives from this prior art that showed the propriety of combination"). See also Graham, 383 U.S. at 18, 148 USPQ at 467 ("strict observance" of factual predicates to obviousness conclusion required). Combining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor's disclosure as a blueprint for piecing together the prior art to defeat patentability--the essence of hindsight. See, e.g., Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1138, 227 USPQ 543, 547 (Fed. Cir. 1985) ("The invention must be viewed not with the blueprint drawn by the inventor, but in the state of the art that existed at the time.").

The evidence of a suggestion, teaching, or motivation to combine may flow from the prior art references themselves, the knowledge of one of ordinary skill in the art, or, in some cases, from the nature of the problem to be solved, see Pro-Mold & Tool Co. v. Great Lakes Plastics, Inc., 75 F.3d 1568, 1573, 37 USPQ2d 1626, 1630 (Fed. Cir. 1996). The range of sources available does not diminish the requirement for actual evidence. Moreover, the showing must be clear and particular. See, e.g., C.R. Bard, 157 F.3d at 1352, 48 USPQ2d at 1232. Broad conclusory statements regarding the teaching of multiple references, standing alone, are not "evidence." E.g., McElmurry v. Arkansas Power & Light Co., 995 F.2d 1576, 1578, 27 USPQ2d 1129, 1131 (Fed. Cir. 1993).

A prima facie case can only be established by presenting evidence that a reference teaching would appear to be sufficient for one of ordinary skill in the relevant art to make the proposed combination or other modification. In re Lintner, 458 F. 2d. 1013, 1016 (C.C.P.A. 1972). As noted above, the conclusion that the claimed subject matter is prima facie obvious must be supported by evidence, as shown by some objective teaching in the prior art or by knowledge generally available to one of ordinary skill in the art that would have led that individual to combine the relevant teachings of the references to arrive at the claimed invention. In re Fine, 837 F.2d 1071, 1074 (Fed.Cir. 1988). An obviousness rejection must rest on a factual basis with these facts being interpreted without hindsight reconstruction of the invention from the prior art. The Office may not resort to

speculation, unfounded assumption or hindsight reconstruction to supply deficiencies in the factual basis for the rejection. In re Warner, 379 F. 2d 1011, 1017 (CCPA 1967), *cert. denied*, 389 U.S. 1057 (1968).

Here, there is no "clear and particular" showing in Huang et al. that would motivate one of ordinary skill in the art to modify that reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

Thus, each pending claim is neither anticipated nor rendered obvious by Huang et al.

Kim et al., Published Patent Application Nos. 20030120671 and 20030120686, also relate generally to techniques for designing extensible stylesheets using meta-tag information and/or differentiated associated meta-tag information, where the stylesheets are useful to facilitate information exchange. In these applications, as in the Huang et al. application, meta-tag and/or associated meta-tag information is used to design extensible stylesheets (XSL) for transferring a source XML file into a target file. According to one aspect, a given stylesheet (e.g., an XSL or XSLT file) is generated from a source file (e.g., an XML file) by first differentiating all meta-tag and/or associated meta-tag information, e.g., by attaching respectively unique identifiers to those that are otherwise identical. To facilitate user required operations on certain data in the source file, a document source path for the data is identified and inserted with one or more operators to form document source path information. The differentiated meta-tag and/or associated meta-tag information and source path information are relied upon to generate one or more stylesheets.

According to another feature as described in these applications, Kim et al. describe a graphic user interface (GUI) environment to allow a user to visually manipulate or operate the meta-tag and/or associated meta-tag information. The GUI includes at least two displays. One of the displays is from a commonly used browser or an application to display a target file including a plurality of objects, and the other display is used to facilitate the editing of a tree structure. According to the inventors, each of the nodes in the tree structure is associated with one of the objects by associated meta-tag



information. Based on the tree structure, a source can be generated. Together with the source file, the stylesheet then is designed in accordance with the displayed target file. The GUI environment described in these patent applications thus is an example of a prior art visual design environment.

As noted above, each independent claim requires the following two elements or functions that are absent from Kim et al: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format." Kim et al. do not describe anything that could be considered a "meta stylesheet" and they do not automatically generate two or more stylesheets in the manner positively recited in each independent claim. Accordingly, the Kim et al. publications do not anticipate any of the subject matter of any independent claim, as anticipation requires that all elements of the claim fall within the four corners of a given reference. As noted above, it is the Office's burden to establish alleged obviousness. There is no "clear and particular" showing in either Kim et al. publication that would motivate one of ordinary skill in the art to modify either reference (or to combine it with any other cited reference) to derive at least the following two features: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format."

Thus, each pending claim is neither anticipated nor rendered obvious by Kim et al.

Parker et al., Published Patent Application 20030237046, relates to enabling a user to graphically modify a transformation stylesheet, and more particularly, to automatically propagating changes bi-directionally between an output document and a corresponding transformation stylesheet. In particular, Parker et al. describe a method and system for displaying data in a document according to a transformation stylesheet,

and enabling a user modification of the document to automatically update the transformation stylesheet. Similarly, a user modification of the transformation stylesheet automatically updates the document. Thus, Parker et al. provide a means for automatically mapping modifications of the document back to the transformation stylesheet, and for automatically mapping modifications of the stylesheet into the document. A preferred embodiment is an editor having a GUI that enables users to accomplish the mappings of such modifications without requiring that users have programming skills. The invention also maintains selection data so that the user interface is generally consistent with conventional editors. The selection data are maintained by mapping the modifications rather than simply replacing the transformation stylesheet or replacing the document.

In the context of each independent claim, the transformation stylesheet described in Parker et al. is not the claimed "meta stylesheet" or "given program code" at least in part because the transformation stylesheet is not useful for the required step or function of "automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format." This aspect of each independent claim is neither disclosed nor suggested by Parker et al. teachings. As noted above, MPEP § 2131 provides that a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. ...

The identical invention must be shown in as complete detail as contained in the ... claim. The elements must be arranged as required by the claim." This requirement is not met with respect to Parker et al. for any of independent claims 1, 15 or 20 at least because the "automatically generating" step or element is wholly absent from the reference. Moreover, because each of claims 1 and 15 are not anticipated by Parker et al., their respective dependent claims 2-14 and 16-19 likewise are not anticipated.

Applicant need not establish non-obviousness, as it is the Office's burden to establish a prima facie case of obviousness. Here, there is no "clear and particular" showing in Parker et al. that would motivate one of ordinary skill in the art to modify that

reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

Thus, each pending claim is neither anticipated nor rendered obvious by Parker et al.

Su et al., Published Patent Application 20030167445, relates to techniques for enabling document transformation between a source Extensible Markup Language (XML) schema and a target XML schema. The application describes a method and system for the transformation between two extensible markup language (XML) documents. Specifically, embodiments of the present invention disclose a system and method comprising modeling a source XML document corresponding to a source schema as a source tree having a plurality of source nodes, and modeling a target XML document corresponding to a target schema as a target tree having a plurality of target nodes. A sequence of transformation operations that transforms the source tree to the target tree is then generated.

As related to independent claims 1, 15 and 20, Su et al. do not disclose or suggest a data processing system GUI in which the following functions or elements are carried out as positively required, namely: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format."

Accordingly, Su et al. do not anticipate any of claims 1, 15 or 20. Because there is no anticipation of either independent claim 1 or 15, necessarily dependent claims 2-14 and 16-19 are not anticipated either. Moreover, as to alleged obviousness, there is no "clear and particular" showing in Su et al. that would motivate one of ordinary skill in the art to modify that reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

Thus, each pending claim is neither anticipated nor rendered obvious by Su et al.

U.S. Patent No. 6,643,652 to Helgeson et al. describes a system and method for managing data exchange among systems in a network. The systems and methods translate data from a system specific local format to a generic interchange format object, and vice versa, with predefined stylesheets using generic components and a system specific service components that utilize a native application programming interface of the specific local system. Helgeson et al. thus describe the basic data integration problem and the use of predefined stylesheets to facilitate data interchange.

Helgeson et al. do not disclose or suggest a visual design environment for creating stylesheets. As related to independent claims 1, 15 and 20, Helgeson et al. do not disclose or suggest a data processing system GUI in which the following functions or elements are carried out as positively required, namely: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format." Accordingly, Helgeson et al. do not anticipate any of claims 1, 15 or 20. Because there is no anticipation of either independent claim 1 or 15, necessarily dependent claims 2-14 and 16-19 are not anticipated either. Moreover, as to alleged obviousness, there is no "clear and particular" showing in Helgeson et al. that would motivate one of ordinary skill in the art to modify that reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

The creation of a meta stylesheet (or "given program code") and the automatic generation function or elements of each independent claim as recited above are clearly absent from U.S. Patent No. 6,540,142 to Alleshouse. As noted previously, this patent is considered to be of background interest. It describes an XML processing system for use in a barcode printer apparatus. The system includes a computer system having an XML processor configured to receive, parse, and process an XML input data stream and obtain schema identified in the XML data stream from a schema repository. The XML processor validates the XML data stream based upon the schema obtained. An XSLT processor is

included and configured to obtain a stylesheet identified in the XML data stream from a stylesheet repository. The XSLT processor transforms data in the XML input data stream into transformed XML data based upon the stylesheet obtained. Also, an XSL:FO processor formats the transformed XML data into formatted XML data based upon XSL:FO instructions contained in the stylesheet. A barcode rendering subsystem then receives the formatted XML data and generates a bit map representative of the bar code label.

Alleshouse does not disclose or suggest a visual design environment for creating stylesheets. As related to independent claims 1, 15 and 20, Alleshouse does not disclose or suggest a data processing system GUI in which the following functions or elements are carried out as positively required, namely: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format." Accordingly, Alleshouse does not anticipate any of claims 1, 15 or 20. Because there is no anticipation of either independent claim 1 or 15, necessarily dependent claims 2-14 and 16-19 are not anticipated either. Moreover, as to alleged obviousness, there is no "clear and particular" showing in Alleshouse that would motivate one of ordinary skill in the art to modify that reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

Likewise, as noted in the original Petition, U.S. Patent No. 6,675,354 to Claussen et al. is considered to be of background interest. This patent describes a method for processing custom tags in a document object model (DOM) representation irrespective of the case in which the tags are authored. In an illustrative embodiment, a document object model (DOM) tree is processed to identify custom tags. Upon encountering a custom tag, an appropriate tag handler (e.g., a Java object, an XSL stylesheet, or the like) is invoked. According to the invention, a tag recognition routine is used for recognizing and handling case-insensitive custom tags. As a servlet engine is examining a tag name, if the name does not match one of the registered tags, the routine converts the name to neutral case. If

the tag recognition routine recognizes the name as one of the case-insensitive tags, it converts the attributes to the appropriate case and hands the resulting element off to a correct tag handler for processing.

Claussen et al. do not disclose or suggest a visual design environment for creating stylesheets. As related to independent claims 1, 15 and 20, Claussen et al. do not disclose or suggest a data processing system GUI in which the following functions or elements are carried out as positively required, namely: "generating given program code (or a meta stylesheet, in the case of claim 1) responsive to selection and positioning ... of given design elements or attributes from a structured data source, and automatically generating two or more program code instances (or stylesheets, in the case of claim 1), wherein each of the instances is useful for generating the document being designed in a given output format." Accordingly, Claussen et al. do not anticipate any of claims 1, 15 or 20. Because there is no anticipation of either independent claim 1 or 15, necessarily dependent claims 2-14 and 16-19 are not anticipated either. Moreover, as to alleged obviousness, there is no "clear and particular" showing in Claussen et al. that would motivate one of ordinary skill in the art to modify that reference (or to combine it with any other cited reference) to derive the two features of each independent claim that are identified above.

As can be seen, none of the references describe or suggest the following invention: an integrated visual design environment having a first display panel in which a structured data source is displayed, and a second display panel for displaying a document being designed from the structured data source; code responsive to selection and positioning in the second display panel of given design elements or attributes from the structured data source for generating a meta stylesheet; and code for automatically generating from the meta stylesheet two or more stylesheets from within the integrated visual design environment, wherein each of the stylesheets is useful for generating the document being designed in a given output format.

Applicants again reiterate their request that the above-referenced application be granted special status and that the special prosecution proceed according to the procedure sets forth in MPEP §708.02, VIII. Applicants stand ready to work with the Examiner

assigned to this case to expedite the examination of this application in all ways consistent with the procedures outlined in this rule.

One final point deserves mention. The Decision on Petition criticized the original submission as failing to adequately meet the requirement of showing how the "claimed subject matter is patentable over the references." While the above submission is believed to adequately address this particular concern, it is respectfully submitted that the Rule does not require Applicants to prove patentability before they are entitled to have this (or any other) application accelerated for prosecution. If that were the case, it is difficult to see how Rule 102(d) could ever be met (mainly because the Applicant cannot know in advance how an Examiner will interpret this or that reference). To rebut anticipation, Applicants here have identified the specific claim language in each independent claim (and thus each claim) that distinguishes the particular reference. That is all that is required to show lack of anticipation. As to obviousness, Applicants have no burden to establish non-obviousness; rather, it is the Office that must make out a prima facie showing in the first instance.

This Renewed Petition is deemed to comply with the requirements of Rule 102(d) and should be granted. No fee is believed due, as the original submission included the filing fee for the Petition.

Respectfully submitted,

By:

David H. Judson  
Registration No. 30,467

15950 Dallas Parkway  
Suite 225  
Dallas, Texas 75248  
972-385-2018